

MOTION BY SUPERVISOR MICHAEL D. ANTONOVICH

DECEMBER 13, 2011

LAURA'S LAW EXTENSION

Laura's Law (AB 1421) under Welfare and Institutions Code 5347 established a demonstration project for assisted outpatient treatment. This law sunsets in 2013. Since 2003, Los Angeles County Department of Mental Health (LACDMH) has provided a voluntary pilot Assisted Outpatient Treatment (AOT) program using the Settlement Agreement portion of the law for persons with mental illness involved in the criminal justice system on misdemeanor charges. Currently, LACDMH contracts with Gateways Hospital and Mental Health Center to provide a full range of services as specified in statute. The contract with Gateways is for 10 treatment slots.

Laura's Law, which is patterned after New York State's Kendra's Law, has shown tremendous success after just five years. Data conclusively demonstrates that assisted outpatient treatment significantly reduces severe consequences for participants:

- 74% fewer people experienced homelessness
- 77% fewer experienced psychiatric hospitalization
- 83% fewer experienced arrest
- 87% fewer experienced incarceration
- 55% fewer attempted suicide or self harm
- 49% fewer abused alcohol
- 48% fewer abused drugs
- 57% fewer physically harmed others
- 43% fewer threatened other with physical harm
- 46% fewer damaged or destroyed property

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However, there are several features in Laura's Law that hamper to its implementation in Los Angeles County. The limitations include:

1. Lack of State Funding – The legislation did not include any dedicated funds for implementation of AOT. Given the State of California's current fiscal condition and the subsequent cuts that county mental health departments have received, increasing the size of an intensive program such as AOT is difficult;
2. Restriction on County's Use of MHSA Funds and other funding sources – Restrictions preclude county mental health departments from supplanting or reducing other mental health services to fund AOT; and
3. Administrative Burden – Although LACDMH staff has worked with the courts to improve the process to place a person in the AOT program, it is still a lengthy and expensive process. Persons who do not comply with an AOT order may only be evaluated for a further hold under Welfare and Institutions Code 5150. No other court based mechanisms are available for providing treatment to individuals who may meet AOT criteria but not 5150 criteria and refuse to comply with the AOT order. An AOT order itself may not be effective enough to produce compliance given the law provides few mechanisms for enforcement. An AOT order for treatment does not include authority for administration of medications involuntarily; an additional hearing and order by the court is needed prior to involuntary administration of medication.

Laura's Law is scheduled to sunset on January 1, 2013, provided that no legislative action is taken to extend the date.

I, THEREFORE, MOVE that the County of Los Angeles Board of Supervisors support an extension of Laura's Law with the following amendments to support the County's implementation of an effective AOT program:

1. Include State implementation funds for AOT;
2. Allow more flexibility by county mental health departments in the provision of AOT services by changing the requirement to provide the same services to individuals not in AOT; and
3. Streamline and facilitate the administrative/legal processes for admission, readmission and ongoing adequate treatment including the administration of medication.

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